



nexVortex, Inc.  
510 Spring Street  
Suite 250  
Herndon, VA 20170

February 20, 2010

Marlene H. Dortch  
Office of the Secretary  
Federal Communications Commission  
445 12<sup>th</sup> Street SW Suite TW-A325  
Washington, DC 20554

Re: EB Docket No. 06-36

Dear Madam:

Please find attached our annual CPNI certification for 2010

I certify that I have provided the information regarding this certification and to the best of my knowledge, information and belief, all information contained in this response is true and that said response is an accurate statement of the affairs of the above-named service provider.

A handwritten signature in black ink, appearing to read "Fred Fromm", is written over a horizontal line.

Fred Fromm  
Chief Executive Officer  
nexVortex, Inc.

February 20, 2010

Date



**Annual 47 C.F.R. § 64.2009(e) CPNI Certification**

**EB Docket 06-36**

Annual 64.2009(e) CPNI Certification for 2010

Date filed: February 20, 2010

Name of company(s) covered by this certification: nexVortex, Inc.

Form 499 Filer ID: 826077

Name of signatory: Fred Fromm

Title of signatory: Chief Executive Officer

I, Fred Fromm, certify that I am an officer of the company named above, and acting as an agent of the company, that I have personal knowledge that the company has established operating procedures that are adequate to ensure compliance with the Commission's CPNI rules. *See 47 C.F.R. § 64.2001 et seq.*

Attached to this certification is an accompanying statement explaining how the company's procedures ensure that the company is in compliance with the requirements set forth in section 64.2001 *et seq.* of the Commission's rules.

The company has not taken any actions (proceedings instituted or petitions filed by a company at either state commissions, the court system, or at the Commission against data brokers) against data brokers in the past year.

The company has not received any customer complaints in the past year concerning the unauthorized release of CPNI.

Signed

A handwritten signature in black ink, appearing to read "Fred Fromm", written over a horizontal line.

Fred Fromm  
Chief Executive Officer  
nexVortex, Inc.



## **nexVortex CPNI Security Plan**

In accordance with FCC EB Docket 06-36 under the rules set forth by 47 C.F.R. §64.2009(e) and §64.2010 nexVortex, Inc has adopted the following safeguards and procedures regarding the treatment of customer proprietary network information (CPNI). The plan and its implementation are the responsibility of the company's Chief Operations Officer (COO). The COO is required to inform the Chief Executive Officer of the status of the plan and any anomalies, customer complaints or other issues regarding the use and protection of the companies CPNI.

### **Safeguards required for use of CPNI**

All personal are trained on the nexVortex procedures for the use of CPNI and the handling of requests for CPNI. This training is reviewed at least once per year. Supervisors are to conduct the training and inform the COO as to which employees have been trained and the date of their last review. The COO maintains records of company training regarding CPNI procedures.

Protection of customer CPNI is a serious matter. Unauthorized use or disclosure of CPNI by any employee is unacceptable. Any employee violating the procedures will be disciplined. Depending on the nature of the violation that discipline can include warnings, required additional training, suspension without pay and possible termination. The discipline is determined by the company's COO.

- a) All requests to use CPNI for any sales or Marketing campaign must be presented in written proposal to the COO. This is required whether the proposed program was internally or externally initiated. The COO must approve all proposals before implementation. The COO will maintain a record of all approved programs documenting the campaign, the specific CPNI used in the campaign and the products and services offered in the campaign. The records regarding the campaigns will be maintained for at least two years.
- b) Access to CPNI is restricted. Call detail records will not be discussed in a customer initiated telephone call unless the caller's identity can be verified. The caller's verification is based on the caller providing account specific details such as the combination of account number, physical address on the account, telephone numbers on the account and account login.
- c) Online access to CPNI is available only through customer authentication using the customer's login id and password. Login ids and passwords are not based on any readily available biographical information. Lost passwords cannot be recovered. If a password is lost it must be reset by calling the nexVortex support department. When passwords are reset a notification email is sent to the contact of record on the account.